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IN ROMAN EGYPT¹

"Imperial Caesar, dead, and turned to clay, Might stop a hole to keep the wind away. . . ."² and similarly, as Horace³ warned of old, a power there is to interchange the high and the low, abasing the mighty, exalting the lowly. So from the papyri found in dust heaps at various sites in Northern Egypt humble personalities are rising to assume a rôle much more important, in many cases, than the one which they played in actual life.

One of these personalities is Tryphon, son of Dionysius of Oxyrhynchus. An outline of his career which may be patched together from papyrus fragments⁴ not only provides an effective resurrection for the man himself, but vividly restores a cross-section of ancient life⁵.

Tryphon was born about the year 9, a little more than a generation after the Emperor Augustus had added Egypt to the sovereignty of the Roman people, and in the flush of victory had celebrated a triple triumph over Dalmatia, Actium, and Egypt⁶. But Dalmatia was again causing trouble, and the Emperor, now worn by years and physical weakness, was gradually turning over affairs of state to his deputies, foremost among whom was Tiberius. Elation early in the year over the victories of Germanicus and Tiberius, who had quelled the revolts in Dalmatia and in Pannonia, was cut short by the tragedy of Quintilius Varus, who, trapped in wind and rain and forest, had lost to the Germans his own life and his Emperor's legions, thereby jeopardizing the German provinces and Italy itself. In such a catastrophe Augustus is reported to have suspected superhuman agencies, for the Temple of Mars had been struck by lightning, the peaks of the Alps were seen to send up three pillars of fire, the sky in numberless places seemed to blaze, and many comets appeared⁷.

Amid this cataclysm of earthly disasters and heavenly portents Tryphon first saw the light. Within that

very year, Dio records, Augustus had chided bachelor knights at Rome for persisting in destroying the State and betraying their country by rendering her barren and childless; fathers of families he had congratulated and rewarded, reminding them that, if cities and nations are to exist, there should be a host of men to till the earth, engage in commerce, exercise the arts and practise handicrafts in time of peace, to protect their country and replace the men that fall in time of war⁸. Forthwith came Tryphon, into the Emperor's special province, to do his small bit in handicraft and in war.

The Emperor knew it—on paper at least—for such was the organization of Egypt inherited from the Ptolemies, and developed under the requirements of the periodic census instituted by Augustus, that every incident which might affect the State was duly recorded and noted through the administrative officers. The town or the village scribe reported to the Strategus at the head of the nome, he in turn to the Epistrategus administering the Section, and he to the Prefect who was the Emperor's personal representative. Complete official records were filed in the central record office at Alexandria; copies were kept in the record office of the nome and were supplied to individuals concerned.

Hence it is that many minute details may be gathered concerning Tryphon. It is discovered, for instance, that he was three years old in 11-12, and that he had been born in Oxyrhynchus, presumably in the Hippodrome Quarter. The city of his birth was the administrative center of the Oxyrhynchite Nome, in the section of upper Egypt known as the Thebaid⁹.

In the year 11-12, if not before, Tryphon, at the age of three, was registered as the son of Dionysius and Thamounis, in a selective list, an *epikrisis*, which would later be used to prove his eligibility to the privilege of a reduced poll tax. Listing in an *epikrisis* demanded evidence that one's father and maternal grandfather had previously been selected for the privileged class. The *epikrisis* of 11-12 records Tryphon's immediate family on his father's side for four generations: his greatgrandfather Didymus, deceased, his grandfather Tryphon, aged 64, then head of the house, his grandmother Timos, his father Dionysius, aged 32, his mother Thamounis, his uncles Didymus, aged 37, and Thoönis, aged 21 (the age of the women folk is not recorded!). An entry from the town registry for the following year, 12-13, and a revised *epikrisis* for that year add the name of a brother, Thoönis, one year old¹⁰.

¹There is no note 8.—C. K.

²Dio Cassius 56.1, 3, 5.

³Oxy. 288, 2, 35, 39; Description 311. Compare Oxy. 39, 8, 10; 99, 2-4.

⁴Oxy. 288, 35-42; Description 314.

¹This paper was read at the Twenty-fifth Annual Meeting of The Classical Association of the Atlantic States, held at the Central High School, Philadelphia, Pennsylvania, May 6-7, 1932.

²Shakespeare, *Hamlet*, Act 5, Scene 1, 237-238.

³*Carmina* 1.34.12-14.

⁴See B. P. Grenfell and A. S. Hunt, *Oxyrhynchus Papyri*, Volume 1, Numbers 37, 38, 39, 99, Volume 2, Numbers 235, 264, 267, 269, 275, 282, 288, and Descriptions 304-326 (London, Egypt Exploration Fund, 1898, 1899). References to these two volumes will be made as follows: Oxy. 288, 7-9 (= Volume 2, Number 288, lines 7-9); Description 314 (= Volume 2, Description 314).—See also notes 20, 23, 42, below.

⁵For a detailed account of Tryphon, from his birth to his apprenticeship, and of his status in the community, with a special study of taxes and banks, see Ethel Hampson Brewster, *A Weaver of Oxyrhynchus*, Transactions and Proceedings of the American Philological Association 58 (1927), 132-154, and *A Weaver's Life in Oxyrhynchus*, Classical Studies in Honor of John C. Rolfe, 19-45 (University of Pennsylvania Press, 1931).

⁶*Monumentum Ancyranum* 5, 27; Livy, *Epitome* 133; Suetonius, *Augustus* 22.

⁷Dio Cassius 55.33-34, 56.15-24.

In this family circle Tryphon passed his early years, doubtless in crowded quarters in a town which we may suppose to have been a dirty, overgrown Egyptian village with a somewhat Hellenized civic center¹². The men of Tryphon's family were all weavers: so the epikrisis testifies. His lot was cast therefore into a lower middle class which was composed of slightly Hellenized Egyptians and a considerable foreign element¹³. Tryphon himself and his associates are styled, in several documents, 'Persians of the Epigone'¹⁴. This expression has been interpreted with wide diversity of opinion. Many authorities agree with Mr. J. G. Tait¹⁵ that in the Roman period it lost all racial significance and became a mere legal fiction to designate debtors in contracts. The evidence in general indicates, however, that in the Ptolemaic period the term was applied to the descendants of *Persian* soldiers who had served in the Ptolemaic army, and continued to be used for the descendants of *Persian* immigrants, even when descent was remote and diluted, but in the Roman period it became restricted to a juridical significance, and was regularly employed in contracts for debts in cases where the debtors were liable to personal execution¹⁶.

Tryphon and his friends were not irked by being required to secure an education. In their documents they are termed illiterate, and their signatures were written for them¹⁷.

At the age of thirteen Tryphon was called to sterner things. In the year 22 he paid a weaver's trade tax of seven drachmae, three obols, a fact which indicates that he had begun his apprenticeship. Since no apprenticeship contract for him is preserved, it may be assumed that he learned his trade at home under the direction of his father Dionysius.

In the next year, 22-23, when he was fourteen years old and was still an apprentice (the normal term for a weaver's apprenticeship appears to have been two years), he became of age and assumed his full burden of taxes. Registration in an epikrisis had placed him on the list of citizens who paid a reduced poll tax of twelve drachmae, instead of sixteen drachmae or twenty drachmae, sums which were more common assessments at Oxyrhynchus. Why Tryphon's family enjoyed this privilege is not clear. A dyke tax of six drachmae, four obols was levied also, in lieu of work on dykes, canals, and embankments. A third obligation incurred by Tryphon along with manhood's estate was a tax on pigs; in 23-25 he paid on this account two drachmae, one and a half obols per annum; later he paid one drachma, four and a half obols. Either his stock of pigs had dwindled or tax rates were reduced!

¹²See M. Rostovtzeff, *The Social and Economic History of the Roman Empire*, 81-83, 253-256, 262-265, 271-273 (Oxford: At the Clarendon Press, 1926). <For a review, by Professor Casper J. Kraemer, Jr., of this work see *THE CLASSICAL WEEKLY* 22.13-15, C. K.>

¹³See L. C. West, *Phases of Commercial Life in Roman Egypt*, *The Journal of Roman Studies* 7 (1917), 56-57.

¹⁴Oxy. 267, 1; 269, 1. Compare Descriptions 304, 305, 310, 320.

¹⁵See John Gavin Tait, ΠΕΡΣΑΙ ΤΗΣ ΕΠΙΓΟΝΗΣ, *Archiv für Papyrusforschung* 7 (1923-1924), 175-182, and Review of F. von Woess, *Das Asylwesen Ägyptens in der Ptolemäerzeit* (Munich, Beck, 1923), in *The Journal of Hellenic Studies* 46 (1926), 143-144.

¹⁶For a discussion of this question see Pierre Jouguet, *Macedonian Imperialism and the Hellenization of the East*, 331-333, 341-343 (London, Paul, Trench, Trübner; New York, Knopf, 1928).

¹⁷Oxy. 264, 15-19; 267, 25-37; 269, 15-18; 275, 41-43.

His trade tax in the second year of his apprenticeship was increased to annual levies of thirty-six drachmae; this was evidently the normal assessment for weavers in Oxyrhynchus, though in 23-24 Tryphon paid thirty-nine and three-quarters drachmae; the excess in that year may have been due to a special assessment, fine, extortion, or an error in bookkeeping.

Taxes were paid either directly to a collector or to a collector's account at a bank. At the end of the year the banks drew up statements of payments, copies of which were given to payers. Tryphon at the age of fourteen was paying through the banks in taxes an annual total of fifty-six drachmae, five and one half obols¹⁸.

Some months before Tryphon finished his apprenticeship, his second brother, Onnophris, was born¹⁹. Nine years before that, the Emperor Augustus had died, and Tiberius was continuing the restoration of the 'Republic' by tightening the organization of the Empire. Egypt was now fairly tranquil. It was garrisoned by two Roman legions instead of by three; the silver tetradrachm was restored and equated with the Roman denarius; that the evils of tax-farming might be corrected, taxes were being gathered by collectors selected by the strategus from a list of inhabitants of each village, and approved by the epistrategus. Under such conditions, public and private, Tryphon became a weaver in his own right. There is little information concerning his relation to his trade. Probably he rented a loom²⁰ and pursued a specialty, subject to interruption, presumably, for military service²¹.

Tryphon's craft was one of the oldest and most fully developed in Egypt. Weaving of fine linen had been perfected by the time of the earliest dynasties. The weaving of woollen fabrics quickly followed. From the last period of the Old Empire on through the Ptolemaic epoch industry in general had been a government monopoly, but even under the Ptolemies there were private weavers who paid taxes and sold their products to the government. In the Roman period government monopoly was continued at first, but became gradually modified in the first two centuries to a system of issuing licenses for the pursuit of trades: private capital might be put into trade, and weavers might receive orders direct from customers, but they still continued to supply the government with necessary garments for the army and with other equipment²². In the third century the weaving industry in particular returned to a state control almost as rigorous as that which obtained in Ptolemaic times.

Weavers evidently were divided into classes according to taxes paid by them. They regularly worked for the town at a fixed price and were under obligation to produce in quantity as ordered. Some weavers at Oxyrhynchus in the first century were receiving per day as little as three and a half asses, that is, about one drachma. How far this amount would go may be esti-

¹⁸Descriptions 288, 311.

¹⁹Description 322.

²⁰Oxy. 264 records that Tryphon purchased a loom in 54. Compare Oxy. 1035 (in Oxyrhynchus Papyri, Part VII [1910]), on the renting (not by Tryphon) of a combing instrument (at a later period).—See note 4, above.

²¹Compare Oxy. 39. See note 39, below.

²²See J. Lesquier, *L'Armée Romaine d'Égypte d'Auguste à Dioclétien*, 368-369 (Cairo, Institut Français d'Archéologie Orientale, 1918), and Rostovtzeff, 624, note 42 (see note 12, above).

mated by noting that wine in the same period was selling at six drachmae a jar²⁹. Centralization and organization were achieved by means of weavers' guilds, which had been instituted probably in the Ptolemaic period and had been greatly developed in the Roman era. Though these were normally village or town associations, they might be extended in membership over whole nomes; through their officials they negotiated orders and deliveries, allotted work to their members, advanced money, sometimes executed tax payments for them, and stood surety for them before the law³⁰. There is no evidence, however, that Tryphon was a member of a guild.

In the year 36 Tryphon's younger brother Onnophris, then apparently thirteen years old, was apprenticed to the weaver Abarus, for two years. Since the contract is in the name of their mother Thamounis, acting with Tryphon, it may be assumed that Dionysius, the father, who would now be about fifty-seven years old, was incapacitated. The mother contracted to pay Onnophris's taxes, making a special arrangement in regard to his trade tax. She was to receive four drachmae a month for his board³¹.

At the time of the accession of the Emperor Caligula, in 37, and of Claudius, in 41, while outbreaks between Jews and Greeks ensued in Alexandria, Tryphon was absorbed with domestic issues. Sometime prior to 37 his mind had turned toward marriage; we know of his marriage, however, only at its dissolution. He had been living with Demetrous, daughter of Heraclides, and 'for my part', he declared in an appeal to the strategus Alexandrus, 'I provided for my wife in a manner that exceeded my means. But she became dissatisfied with our union and finally left the house and they carried off some of my possessions'. Tryphon petitioned the strategus for redress: his declaration of pilfered articles is lost except for a reference to something worth forty drachmae³². Tryphon and Demetrous evidently separated, but no bill of divorcement between them has survived.

By 37 Tryphon was again ready for matrimony. But, having profited by the experience with Demetrous, he prepared apparently for a trial period of five months. There is preserved among his documents a marriage agreement with Saraeus, daughter of Apion, dated May 22, 37. This states that their union was without written contract, but acknowledges the receipt from Saraeus through the bank of Sarapion of a dowry consisting of forty silver drachmae, gold earrings valued at twenty silver drachmae, and a milk-white chiton valued at twelve silver drachmae, a total of seventy-two silver drachmae. Tryphon promised to repay this amount on October 27, or forfeit the designated sum, plus one half. There was a special stipulation in case there should be a separation for incompatibility and a subsequent birth of a child³³.

It may be pertinent to note that, shortly after accepting Saraeus and her dowry, Tryphon was in a position to make a loan of sixteen drachmae to his mother³⁴. But before that time Tryphon and Saraeus were involved in difficulties arising from his past. Within two months after the marriage agreement had been consummated, Saraeus, already expectant of a mother's lot, suffered an assault from the former wife Demetrous and her mother, whereupon Tryphon lodged a second complaint against the recalcitrant Demetrous, this time with the strategus Sotas³⁵.

When the trial period of five months set by the marriage agreement with Saraeus had elapsed, Tryphon did not pay back the dowry. Nor did he pay a forfeit, so far as available evidence indicates. Apparently all was well and his union with Saraeus continued. A horoscope of some interest has been found with Tryphon's archives which refers to this general period. Illustrated by a unique diagram, it specifies the position of the planets and designates a birth at about 10 P. M. on September 28 in a year of Tiberius which a lacuna unfortunately conceals³⁶. The dating under 'Tiberius' suggests that Demetrous may have had cause for her assault upon Saraeus in the first year of Gaius! At all events, when Saraeus gave birth to a daughter, she made a special agreement with Tryphon concerning the nurture of the child. The date is missing in the document, but Messrs. Grenfell and Hunt assign it to the time of Gaius and Claudius³⁷.

On June 9, 43, almost six years after the date set in the marriage agreement, Tryphon paid back the dowry in full, as Saraeus acknowledges in the last entry on the agreement. It is not clear why, though he did not settle at the stipulated date, he made payment at this time. Normally the return of a dowry out of season indicates a separation, but Saraeus and Tryphon are found living together later. It seems doubtful that there should have been a temporary rupture; it is tempting to connect the repayment with the birth of a son and heir which may have established their relations upon a new footing.

For a son Apion now appears. Unless he was apprenticed in his trade before he was thirteen years old, he must have been born in 43, for on June 14, 56 he paid a full weaver's tax in the 'Teumenouthis' Quarter³⁸. The change of residence is to be observed. Apparently Tryphon's family had moved from the Hippodrome Quarter. In 44 Tryphon's brother Thoönis, three years his junior, had for some time been officially registered in the 'Temouenouthis' Quarter, and was in that year punctiliously reported to the town clerks by his mother as having moved away, without a trade and without means³⁹. In the years 45-50 Tryphon's own tax receipts show registration in the Quarter 'Temenouthis'⁴⁰.

But let us return to Apion. In his earliest years he

²⁹Oxy. 737. 745 (in Oxyrhynchus Papyri, Part IV [1904]).—See note 4, above.

³⁰On the weavers' trade see a monograph by M. Chwostoff on the textile industry in Greek and Roman Egypt. This monograph was published in Russian (Kazan, 1914). A translation of it was kindly made for me by Professor Michel Kovalenko, of Swarthmore College.

³¹Description 322. Compare Oxy. 275, notes to 17, 19, 24-31.

³²Oxy. 282. ³³Oxy. 267.

³⁴Description 319.

³⁵Description 315. Compare Oxy. 267, Introduction, page 244.

³⁶Oxy. 235. The data do not permit accurate calculation. They allow a range of years from 15 to 38.

³⁷Oxy. 321.

³⁸Description 310. Messrs. Grenfell and Hunt reason, from Oxy. 37 and 38, that Apion was born in 46-47.

³⁹Oxy. 251. ⁴⁰Description 308.

was involved in a law suit, *Pesouris versus Saraeus*. The trial was held in March, 49, before the strategus of the nome, Tiberius Claudius Pasion. The complete minutes, which are preserved, include the statements of the counsel for the plaintiff, Saraeus herself, the counsel for the defendant, and the strategus.

It appears that Pesouris at some time in the year 46-47 had picked up a foundling (a boy) whom he wished to rear as a slave. He gave it into the charge of Saraeus, who had been nurse for his son. She received two years' wages in full, eight staters, in two installments. According to her story she weaned her own child and took over the foundling, but it died; then Pesouris claimed her son. But, according to the plaintiff's counsel, Pesouris had carried off the child which he claimed to be the foundling, because it was being starved. Thereupon, he said, Saraeus burst into the house and abducted the 'foundling', justifying her action on the ground that it was free born. Because the child resembled Saraeus in features, the strategus ruled that, if Saraeus and Tryphon would declare in writing that the foundling had died, she might keep the child on refunding the wages³⁵. Pesouris, enraged, refused to abide by the verdict and proceeded to hinder Tryphon in his trade. Some months later Tryphon appealed to the prefect Gnaeus Vergilius Capito: reviewing the facts, Tryphon declared that the foundling *had* died and that Pesouris (whom he called Syrus) was attempting to enslave his son Apion; he therefore petitioned for his rights³⁶.

In a little over a year, in October or November, 50, Tryphon was again before the strategus Pasion with a petition, complaining, on one count, of an assault upon him and his wife by a woman and other persons unnamed³⁷. This assault may have been a sequel to the Pesouris episode, or the result of renewed activity after thirteen years on the part of Tryphon's first wife Demetrous. But it may have been concerned with some totally new aggression.

Less than two years later, in April, 52, Tryphon again had dealings with the prefect Gnaeus Vergilius Capito, when a release from military service was granted to him because he was suffering from cataract and shortness of sight. His archives contain two copies of the release endorsed three times with the statement that 'examination was made in Alexandria'³⁸. There the two Roman legions stationed in Egypt were united in one camp. The customary period of military service was twenty years, after which a soldier was discharged as a veteran. Enlisted foreigners received Roman citizenship upon entrance into the army³⁹. There is no evidence that Tryphon had seen active service, and now, at the age of forty-three years, his eyes relieved him from call in the future.

From this point, in spite of his failing eyesight, fairer days seem to have dawned for Tryphon. He acquired a third child, Thoönis, a son, in 53 or 54, it must have

been, for the boy was under fourteen years old when he was apprenticed in 66⁴⁰. In 54, too, Tryphon purchased from Ammonius for twenty silver drachmae, through the bank of Sarapion, a weaver's loom; it measured two palms short of three weaver's cubits and was equipped with two rollers and two bearers⁴¹. Perhaps he was anticipating the apprenticeship of his first son Apion, or perhaps business had been picking up with noticeably improving industrial conditions under the Emperor Claudius, whose principate was marked by an extension of manufactures, and by the growth of trade between Alexandria and India. Certainly Tryphon appears to have more drachmae at his disposal.

Then came the news of the accession of the Emperor Nero, which reached Oxyrhynchus on November 17, 54, thirty-five days after the death of Claudius and considerably before it was known in some other important towns of Egypt. The public proclamation read as follows⁴²: 'The Caesar who had to pay his debt to his ancestors, now deified, has joined them, and the expectation and hope of the world has been declared Emperor; the good genius of the world and source of all good things, Nero, has been declared Caesar. Therefore ought we all of us to put on garlands, and with sacrifices of oxen give thanks to all the gods'. It may be assumed that Tryphon, with others of his clan, joined in the celebration.

In the next year, 55, on September 3, Tryphon found himself in a position to purchase one-half of a three-storied house, 'with all its entrances and exits and appurtenances', from his mother's cousin Pnepheros, who had inherited it from *his* mother. It was located near the Temple of Serapis in the southern part of the 'Temgenouthis' Quarter, to the west of the lane leading to the Shepherds' Quarter. Situated on a corner, facing lanes on the south and the east, it was near the house of his mother on the north and the house of another cousin (the seller's sister) on the west; from the latter it was separated by a blind alley. Tryphon negotiated the purchase, at thirty-two copper talents, through the Notarial Office of the agoranomi. He paid in addition a 10% sales tax through the bank of Sarapion⁴³. A loan of one hundred and four drachmae from a relative, Thoönis, contracted about the same period, through the bank of Ammonius and Epimachus, probably helped him to meet his obligations⁴⁴.

At this time Tryphon must have been in his forty-seventh year. The sales contract gives a vivid picture of his appearance, describing him as of medium height, fair, with a long face and a slight squint, and a scar on his right wrist. His mother's cousin Pnepheros was sixty-five years old. He also was of medium height, fair, and long-faced; he had a scar above his eyebrow, and another on his right knee⁴⁵.

If Tryphon was now showing any signs of failing power in his trade, his son Apion was ready to come to his assistance. The boy was serving his apprenticeship by 56, for he was then paying a weaver's trade

³⁵Oxy. 37. ³⁶Oxy. 38.

³⁷Descriptions 316, 324. I have assumed that these two fragments pertain to the same case. See note 29, above.

³⁸Oxy. 39; Description 317.

³⁹See P. M. Meyer, *Das Heerwesen der Ptolemäer und Römer in Aegypten*, 113, note 426, 152 (Leipzig, Teubner, 1900); J. Lesquier (in the work named in note 22, above).

⁴⁰Oxy. 275. ⁴¹Oxy. 264.

⁴²Oxy. 1021 (in *Oxyrhynchus Papyri*, Part VII [1910]). (This does not relate to Tryphon.)—See note 4, above.

⁴³Oxy. 99. ⁴⁴Description 304. ⁴⁵Oxy. 99.

tax⁴⁶. Since no apprentice contract for him has come to light, he presumably learned his trade at home.

Within the next few years Tryphon was engaged in several financial transactions. On May 13, 57 he lent fifty-two drachmae to Dioscorus, son of Zenodorus, through the bank of Archibius. Dioscorus promised under a definite guarantee, subject to personal execution in case of default, to repay the amount in three months. In spite of the guarantee, however, the debt seems not to have been paid; a copy of the loan acknowledgement, uncanceled, is accompanied by an appealing note from Tryphon to his friend Ammonas the Tall, entreating him to worry Dioscorus and make him keep to his agreement⁴⁶.

On June 19, 59 Tryphon, with his wife Saraeus and his brother Onnophris, borrowed three hundred and fourteen drachmae from his maternal grandmother Tryphaena, who acted with his father Dionysius⁴⁷.

The latter by that date must have been about eighty years of age. It is probable that the money was used for the purchase of another house near the Temple of Serapis, in the Shepherds' Quarter, for which Tryphon was bargaining at that time with Antiphanes, son of Heraclas; arrangements for the loan were made not at a bank, but at the Notarial Office of the associate agoranomi. In the same month Tryphon arranged, also through the Notarial Office, a loan of one hundred and sixty drachmae from the seller of the house, apparently as a short-term mortgage. This he repaid the following month, with the understanding that Antiphanes would dislodge his son, a minor, from the premises, and at his own expense for transfer and registration⁴⁸ have him enrolled in another district.

With these last documents, most of the members of Tryphon's family fade into oblivion. His maternal grandmother and his father were aged; his mother was out of the picture, though she owned a house nearby in 55. Tryphon had by this time been united with his wife Saraeus about twenty-two years. His brother Thoönis went off bankrupt some time previously; his second brother, Onnophris, apprenticed in 36, may have had an interest in the newly purchased house in Shepherds' Quarter. Records for Tryphon's daughter have either not presented themselves or they have not been recognized as hers. His older son Apion had been at his trade since 56, at least. By 66, at the age of fifty-seven or fifty-eight years, Tryphon himself, his eye-sight poor, had presumably resigned his loom. On September 18 of that year he apprenticed his younger son Thoönis for one year to the weaver Ptolemaeus, son of Pausirion, by an elaborate contract: Tryphon was to pay his son's taxes and feed and clothe him; Ptolemaeus was to allow Tryphon five drachmae a month for board and twelve drachmae at the end of the year for clothing. Tryphon was under guarantee to prevent truancy; Ptolemaeus was under guarantee to instruct the boy excellently⁴⁹.

On this high level of discipline and idealism we leave Tryphon and his immediate circle. One final document related to his archives carries the family fortunes into

the time of the Flavians, but it leaves Tryphon himself out of account. It is an extensive tax receipt made out to a Thoönis, son of Thoönis, grandson of Onnophris, of Shepherds' Quarter⁵⁰. This is probably the Thoönis that lent Tryphon one hundred and four drachmae in 55^{50a}. It is obviously not the newly apprenticed Thoönis, Tryphon's son, or Tryphon's indigent brother, or his uncle, son of Tryphon the Elder, named in the *epikrisis*. It may be a son of that Thoönis, hence a cousin of Tryphon, if we may assume that Uncle Thoönis married a daughter of Onnophris (as did Dionysius). There are numerous entries for poll tax, pig tax, and dyke tax through a banking house that shows a succession of partnerships: Dorion and Chaeremon, 66-71, Chaeremon and Apollonius, Chaeremon and the sons of Apollonius, 72-76, Chaeremon and Associates, 81-83. The dating covering the years of revolution is especially significant. Payments made on May 29 (Payni 4), 68, were entered under the fourteenth year of Nero. But the events in the year that saw four Emperors moved too rapidly for bank bookkeepers in Oxyrhynchus. Nero perished on June 9, 68. A payment made by Thoönis on October 2 (Phaophi 5) was consequently entered under the second year of Galba, which began on August 29 (Thoth 1). Galba was murdered on January 15, 69. The payment of March 17 (Phamenoth 21), 69, therefore fell in the first year of Otho. But Vitellius seems to have been ignored at Oxyrhynchus. Otho had died by his own hand on April 16 (?)⁵¹. Yet a payment by Thoönis on April 30 (Pachon 5) was still entered under the first year of Otho, and an entry on September 2 (Thoth 5) was referred to the second year of Vespasian, who had been proclaimed Emperor at Alexandria by the Prefect of Egypt and the army on July 1, 69, though he could not be recognized by the Senate as legitimate Emperor until after the slaughter of Vitellius at Rome, on December 20. The last payment recorded for Thoönis was in the second year of Domitian, January 26 (Mecheir 1), 83. This is the latest date in Tryphon's archives, so far as they have been recognized.

Thus, through seventy-five years it has been possible to trace Tryphon's existence. Thereby a life has been revealed that was somewhat sordid, somewhat lurid, very definitely limited in scope, yet not unhappy withal. Tryphon had an outlet for his emotions, he gained a home of his own, and he contributed to the world's work.

SWARTHMORE COLLEGE

ETHEL HAMPSON BREWSTER

TACITUS, HISTORIAE 1.44.1

In *Historiae*, 1.44.1 Tacitus writes thus of Otho:

...Nullam caedem Otho maiore laetitia excepsisse, nullum caput tam insatiabilibus oculis perlustrasse dicitur, seu tum primum levata omni sollicitudine mens vacare gaudio coeperat, seu recordatio maiestatis in Galba, amicitiae in Tito Vinio quamvis immitem animum imagine tristi confuderat. Pisonis ut inimici et aemuli caede laetari ius fasque credebatur.

⁴⁶Oxy. 289.

^{50a}Description 304.

⁴⁷Description 310. ⁴⁸Oxy. 269. ⁴⁹Description 320.

⁵⁰Descriptions 306, 318. ⁵¹Oxy. 275.

⁵¹See U. Wilcken, *Griechische Ostraka aus Ägypten und Nubien*, 1.801 (Leipzig and Berlin, Giesecke und Devrient, 1899).

Tacitus thus describes the reaction of Otho when the severed head of Piso was brought to him. In the expression *maiestatis in Galba*, Gerber and Greef¹, with the editors generally, seem to understand *maiestatis* in the sense of 'majesty' or 'dignity'.

This interpretation is not altogether free from difficulty, for, though Tacitus feels a manifest sympathy for Galba, he yet represents him as a feeble old man, unable to cope with the situations in which he finds himself. Thus he says of him in *Historiae* 1.6.1, *Invalidum senem Titus Vinus et Cornelius Laco... odio flagitiorum oneratum contemptu inertiae destruebant*.... To Tacitus, Galba was hardly a grand and commanding figure; hence it seems unlikely that he meant to ascribe 'majesty' to him in the present connection.

Wolff² here makes a helpful suggestion, understanding *maiestatis* to refer not to the appearance and the bearing of Galba, but to the exalted position he had occupied because of the august powers with which he was invested by virtue of the fact that he was Emperor.

Even this is not wholly satisfactory, for Otho had long been on intimate terms with Galba, and he was himself on the eve of taking over these powers. It is a question how far they would dignify Galba in the eyes of Otho.

It has seemed for some time to me that perhaps *maiestatis* is to be understood as *laesae maiestatis*, i. e. 'treason'. This idea is anticipated in Mr. Fyfe's paraphrase³, which runs as follows: "in the case of Galba and of Vinus the recollection of his treason to the one and of his former friendship with the other troubled even his unfeeling heart...."⁴

In *Historiae* 1.77.6 *maiestatem* has this force; and in the *Annales* there are many instances of such expressions as *lege maiestatis*, *crimine maiestatis*, and *poena maiestatis*.

H. C. NUTTING

TACITUS, HISTORIAE 1.21.5

In Tacitus, *Historiae* 1.21.5 we read, in oratio obliqua, as part of the thoughts of Otho, ... *opportunos magnis conatibus transitus rerum, nec cunctatione opus ubi perniciosior sit quies quam temeritas*....

Galba had just adopted Piso as his successor. In 1.21 Tacitus reviews the considerations that moved Otho to attempt to seize the reins of government for himself.

Though editors do not concern themselves with it, the expression *nec cunctatione opus* presents a real problem. The translators must meet the issue in some way. Fyfe⁵

¹A. Gerber et A. Greef, *Lexicon Taciteum* (Leipzig, Teubner, 1903). <1903 is the year in which the work, which appeared in parts, was completed. C. K.>

²E. Wolff, *P. Cornelii Taciti Historiarum Libri Qui Supersunt* (Berlin, Weidmann, 1914).

³W. H. Fyfe, *Tacitus, The Histories* (Oxford: At the Clarendon Press, 1912).

⁴In *The Loeb Classical Library* (1925) Professor Clifford H. Moore gave this version: "in the case of Galba the memory of his treason, and in the case of Titus Vinus the recollection of his friendship distressed with gloomy visions even his cruel mind...." C. K.>

⁵W. H. Fyfe, *Tacitus, The Histories* (Oxford: At the Clarendon Press, 1912).

renders by "there is no call for delay", and Church⁶ by "delay is useless".

The general context shows that *nec cunctatione opus* here bears no such vague meaning. It is a call to arms, in view of the peril of inaction. A little later (1.38.6), Otho in an address to the soldiers presents a like idea with somewhat different wording: ... *Nullus cunctationis locus est in eo consilio quod non potest laudari nisi peractum*....

Some translators paraphrase *nec cunctatione opus* in such a way as to bring out the parallelism; so Quill⁷ ("avoid delay, more fatal even than hazard"), and Ramsay⁸ ("not a moment should be lost")⁹. But it is not explained how this sense is derived from the Latin expression.

If the reading is sound (and no one seems to question it), a possible analogy may be found in the familiar handling of the negative in the combination of *non debere* with an infinitive, e. g. in Cicero, *Academica* 2.68 *ut tam in praecipitem locum non debeat se sapiens committere*¹⁰.

This does not mean that the *sapiens* is not under obligation to do a thing, but that he is under obligation not to do it, i. e. the negative expends its force, not on *debeat*, but upon *se committere*.

If, in like manner, in Tacitus, in the expression *nec cunctatione opus* the negative idea be attached to *cunctatione* (rather than to *opus*)¹¹, the meaning is that there is need of non-delay, that is, there is need of haste.

At first sight, it might seem that in this particular instance the problem is complicated by the fact that the negative and the clause-connective coalesce in the form *nec*. But such coalescence does not hinder the negative idea from bearing upon some element other than the verb of the clause thus introduced. For example, when Juvenal is speaking of a sacrificial animal that was no cheap local product, but imported from a distance, he says (12.12), *nec finitima nutritus in herba*. This means, of course, *et nutritus in herba non finitima*; the force of the negative is spent upon the adjective. An even better illustration is found in Martial 4.3-4:

*Indulget tamen ille Iovi, nec vertice moto
concretas pigro frigore ridet aquas.*

⁶A. J. Church, *The History of Tacitus* (London, Macmillan, 1905).

⁷A. W. Quill, *The History of P. Cornelius Tacitus* (London, John Murray, 1892).

⁸G. G. Ramsay, *The Histories of Tacitus* (London, John Murray, 1915).

⁹See also J. H. Dottenville, *Histoire de Tacite* (Paris, Moutard, 1772).

¹⁰I see no difficulty whatever. To me the ordinary rendering 'and there is no need for delay', 'there is no occasion for delay', seems entirely satisfactory, because such a rendering inevitably suggests its opposite, 'there is every reason for prompt (decisive) action'. As so often, the understatement (litotes) is effective, far more effective than the natural, straightforward affirmative expression would be.

¹¹Of course, it is often necessary, when *nec* is resolved into its elements, to join the negative part of it with some word or expression of its clause other than the verb or verbal complex, e. g. with an ablative absolute, a participle, or an adjective. The matter is familiar to all classicists. But, I feel sure, passages in which the negative part of *nec, neque* must be joined with a noun, as Professor Nutting joins *nec* in Tacitus, *Historiae* 1.21.5 with *cunctatione*, would not be easy to find. In my view, Tacitus, *Historiae* 1.21.5, and *Historiae* 1.38.6, interpreted as examples of litotes, by which the affirmative idea, 'there is every occasion for action', is so clearly suggested, are perfectly parallel each to the other; *nec opus <esse>* and *Nullus... locus <est>* balance each other perfectly. C. K.>

¹²I should say 'rather than to *opus <esse>*'. The negative belongs to the whole verbal complex, not to *opus* alone. C. K.>

The reference here is to a snowstorm that came on when certain games were in progress. The Emperor took the matter easily, and even laughed. The negative idea belongs with *vertice molo*; despite the fall of snow, Domitian did not change the position of his head.

Viewed in this way, the passage on which this note is based may be rendered⁶ by 'Transfer of power is a time opportune for great ventures; and there is need for quick action, when quiescence is more perilous than boldness'.

H. C. NUTTING

CICERO, TUSCULANAE DISPUTATIONES 2.37-38

... Quid exercitatio legionum? Quid ille cursus, concursus, clamor? Quanti laboris est! Ex hoc ille animus in proeliis paratus ad volnera. Adduc pari animo in exercitum militem: mulier videbitur. Cur tantum interest inter novum et veterem exercitum quantum experti sumus? Aetas tironum plerumque melior, sed ferre laborem, contemnere vulnus consuetudo docet. Quin etiam videmus ex acie efferri saepe saucios, et quidem rudem illum et in exercitum quamvis levi ictu ploratus turpissimos edere, at vero ille exercitatus et vetus ob eamque rem fortior medicum modo requirens, a quo obligetur.

"O Patricoles", inquit, "ad vos adveniēns auxilium et vestras manus peto priusquam oppeto malam pestem mandatum hostili manu...."

"Certe Eurypylos hic quidem est: hominem exercitum!"

The general meaning of this passage is clear. Cicero is making the point that rough and hardy living renders it comparatively easy to bear pain; he illustrates by contrasting new recruits and veteran soldiers in their reaction to pain.

In developing his thought, he twice uses verbs in the first person plural, *experti sumus*, *videmus*. In the second instance (*videmus*), the subject seems to be the general public that witnessed plays in the theater. In *Cur tantum interest inter novum et veterem exercitum quantum experti sumus?* there appears to be a different reference.

It is generally assumed that Cicero is speaking here of the recent civil war; some think that he refers specifically to the Battle of Pharsalus. So Pohlenz held¹. In his school edition Gschwind² regards the reference to this battle as so obvious that his note takes the form of the question, "in welcher Schlacht zeigte sich dieser Unterschied ganz besonders?"

On this basis, the subject of *experti sumus* is 'we Pompeians', though, as a matter of fact, Cicero was present neither at Pharsalus nor at any other battle in the war. At heart, of course, he was a Pompeian, and, at the outbreak of hostilities, he had aligned himself with Pompey.

The present note is not concerned primarily with this detail, but with a false and misleading type of

statement that has become traditionally attached to commentaries on this passage. Thus Anthon said³, "In the civil war, where Pompey's new levies were easily defeated by Caesar's veterans". Some sixty years later the tradition is thus carried on by Gnesotto⁴: "nella guerra civile i veterani di Cesare vinsero prontamente gli eserciti di Pompeo di recente arruolati".

In the first place, it is absurd to speak of Caesar's success as easily won in the terrible four-year struggle that finally resulted in his favor. Secondly, Caesar's troops were not all veterans⁵, and Pompey's soldiers were by no means all recently levied raw recruits.

It will suffice here to glance at some of the early happenings of the war.

The first general campaign was staged in Spain, where Caesar was opposed by two veteran Pompeian armies long resident in that province. In his opening skirmish he was defeated⁶; thereafter it was a contest in strategy, in which Caesar won, hemming in the enemy and forcing a surrender. This was in no sense a victory of veterans over raw recruits. Caesar's success rested on very different grounds.

A little later, near Dyrrachium, Caesar's veterans were so decisively beaten that the war might perhaps have been ended there if Pompey had at once followed up his advantage⁷.

At Pharsalus there had been no lack of seasoned troops in Pompey's infantry line⁸. Here again the victory was won by superior strategy. Caesar caught the Pompeians between two fires, where no troops, whether veterans or new recruits, could have held their ground, unless they chose to stand and die. The situation was complicated by the fact that Pompey himself deserted the field, leaving his army to its fate. It quite misrepresents the facts to refer to this battle as an engagement between veterans and raw recruits, with the issue determined by an inequality of that sort⁹.

It is not altogether clear how this error crept into the commentaries on the passage now under discussion. Possibly it is due to what Cicero himself there says. He first asks the question, *Cur tantum interest inter novum et veterem exercitum quantum experti sumus?* If this is a reference to Pharsalus, the words are not wholly inexact, for Caesar in that battle certainly had a greater proportion of soldiers who had served him for a long time, whereas Pompey's line was made up

³Charles Anthon, *Cicero's Tusculan Disputations* (New York, Harper, 1859).

⁴F. Gnesotto, *Le Tuscane di M. Tullio Cicerone* (Torino, G. Chiantore, 1923). For the interim see L. W. Harper, *M. Tullii Ciceronis Tusculanarum Disputationum Libri Quinque* (Gotha, F. A. Perthes, 1883: "den Tironen des Pompeius, die leicht... überwunden wurden"), and G. Tischer und F. G. Sorof, *M. Tullii Ciceronis Tusculanarum Disputationum ad M. Brutum Libri Quinque* (Berlin, Weidmann, 1890).

⁵For example, the first division of Caesar's troops transported to Greece included three legions of veterans and one of new recruits (*De Bello Civili* 3.29.2).

⁶*De Bello Civili* 1.47.

⁷*Ibidem*, 3.69.4, and 70.1. Suetonius (*Iulius* 36) represents Caesar as saying of this occasion that Pompey did not know how to be a victor. Compare Plutarch, *Pompey* 65.5; Appian 2.62.

⁸See Caesar's enumeration, *De Bello Civili* 3.88. Compare 3.4. Caesar testifies (*De Bello Civili* 3.93.2) that, when the infantry lines first clashed, the Pompeians stood their ground in business-like fashion. In reckoning up his losses, he makes interesting reference to Crastinus, an ex-first-centurion, who led the charge of the Caesarians (3.91) and was killed by a sword-thrust delivered full in his face (3.90). It was no weak line that could stop the onrush of a man like Crastinus backed by a company of his old command.

⁹I accept this rendering, but I maintain that the rendering can be got without joining, as Professor Nutting joins, the negative element of *ec* with the noun *cunctatione* alone. C. K.

¹Max Pohlenz, *M. Tullii Ciceronis Tusculanarum Disputationum Libri V* (Leipzig and Berlin, Teubner, 1912).

²E. Gschwind, *M. Tullii Ciceronis Tusculanarum Disputationum Libri I, II, V* (Leipzig, G. Freytag, 1897).

of units less practised in working together¹⁰. But, when Cicero answers his own question by writing *Aetas titanium plerumque melior, sed ferre laborem, contemnere volnus consuetudo docet*, he seems to be matching *tele-rani* against *tirones*, which is quite a different matter. Some unwary commentator who did not have a clear idea of conditions at the Battle of Pharsalus and elsewhere might easily have been misled here into writing a mistaken comment that was copied carelessly by others¹¹.

As to Cicero's own meaning the situation is not altogether clear. Close scrutiny of the passage shows that it is thrown together rather carelessly. But the suspicion readily obtrudes that, being an ardent Pompeian himself, Cicero may not have been unwilling to have the reader gather the impression that the loss of the Battle of Pharsalus was due to conditions over which Pompey had no control, and for which he was not to blame.

In this connection reference may be made to an earlier passage in the *Tusculanae Disputationes*, in which Cicero lists the trouble that Pompey would have escaped, if he had died before the open break with Caesar (1.86):

...Non enim cum socero bellum gessisset, non inparatus arma sumpsisset, non domum reliquisset, non ex Italia fugisset, non exercitu amisso nudus in servorum ferrum et manus incidisset....

To a reader not conversant with the facts, the clause *non inparatus arma sumpsisset* might easily suggest the idea that Caesar stole a march upon an unsuspecting and guileless opponent. In fact Pompey had long been leaving no stone unturned to get the advantage of Caesar.

¹⁰The situation is far better described by Cicero in *Ad Familiares* 7.3.2 *Signa tirones et collectio exercitus cum legionibus robustissimis contulit*. Here the army itself is called *tiro* because it was not yet sufficiently trained for the most effective united action.

¹¹It is not impossible that misunderstanding was fostered by careless handling of the story told by Plutarch (*Caesar* 45, *Pompey* 71) regarding the repulse of Pompey's cavalry at Pharsalus, when it tried to turn Caesar's right wing. This division of Pompey's army was, of course, made up for the most part of foreign troops, with some young Romans of the 'gentlemen' class as officers. According to Plutarch, in order to save their good looks these young men retired in haste when they found that Caesar's legionaries were aiming at their faces. That this little group lacked military experience would be no ground for claiming that Pompey's great army was made up generally of *tirones*, though, if Plutarch's story is true, the unsoldierly behavior of these young men was an important factor in the issue of the battle.

sar, boasting the while about his readiness to meet any issue. If he was unprepared, he had no one but himself to blame.

Lucan, another Pompeian sympathizer, more openly and ingenuously tries to put Pompey's flight from Pharsalus in a more favorable light¹². He says that in fleeing Pompey was moved by consideration for his troops; if he fell on the field, they might rally around his body and thus lose their lives; so he considerably ran away, leaving them to their own devices!

H. C. NUTTING

CAESAR, DE BELLO CIVILI 3.82.1 AND 2.36.2

...Scipionis milites cohortatur <Pompeius> ut partem iam victoria praedae ac praemiorum velint esse participes....

...cum P. Attio agebant, ne sua pertinacia omnium fortunas perturbare vellet....

In these and numerous other passages the verb *velo* seems to be used in pleonastic fashion. Ordinary English would be apt to proceed more directly, saying 'Pompey exhorted the soldiers of Scipio to become sharers in the plunder and rewards', and 'they urged Publius Attius not to ruin the fortunes of all by his obstinacy'.

It clears the situation a little to note that, where it is a question of adopting one of two courses, the verb *velo* readily takes on the idea of 'choose' or 'elect'. In the first sentence quoted above the soldiers are urged to choose a ruinous course by offending Caesar¹.

The more important consideration is that in such Latin expressions there is something closely parallel to the common form of prohibition made up of *noli* and the infinitive. This is especially evident in connection with the second passage here under consideration. With change of voice of the infinitive *ne...perturbare vellet* is directly in line with *Noli perturbare*².

H. C. NUTTING

¹*Pharsalia* 7.669-679.

²In these instances Mr. A. G. Peskett renders *velint* and *vellet* rather casually by "consent" and "allow" (*Caesar, The Civil Wars*, The Loeb Classical Library [New York, Putnam, 1914]).

³Careful thought should be given to the rendering of such expressions into English. There is an analogy, of course, in old-fashioned stilted forms like 'be pleased to accept this gift', '<be minded to accept this gift'. C. K.>.